

UNITED STATES DISTRICT COURT

Northern District of California

San Francisco Division

U.S. BANK TRUST N.A., AS TRUSTEE
FOR VOLT ASSET HOLDINGS NPL3,

No. C 13-01304 LB

Plaintiff,

v.

MARCOS SANDOVAL, CECILIA
ACOSTA, and DOES 1 to 6, inclusive,Defendant.
_____**ORDER (1) CONTINUING THE
INITIAL CASE MANAGEMENT
CONFERENCE AND (2) DIRECTING
PLAINTIFF TO FILE A MOTION TO
REMAND**

Defendants Marcos Sandoval and Cecilia Acosta removed this unlawful detainer action from state court to this court on March 22, 2013 and filed for leave to proceed *in forma pauperis*. Notice of Removal, ECF No. 1; Motions for Leave to Proceed *In Forma Pauperis*, ECF Nos. 3 and 4.¹ Since then, the Defendants have done nothing. *See generally* Docket. On June 20, 2013, Plaintiff U.S. Bank Trust N.A. (“U.S. Bank”) filed a Case Management Statement arguing that the court lacks jurisdiction over this case and should remand it back to state court. *See* ECF No. 12. U.S. Bank failed to notice or file a motion, a memorandum of law, or any evidentiary support for that contention. Case Management Statement, ECF No. 12.

This court has previously explained to U.S. Bank’s counsel (in very similar circumstances) that

¹ Citations are to the Electronic Case File (“ECF”) with pin cites to the electronic page number at the top of the documents.

1 if he wants relief for his clients, he must ask for it in the form required by the local rules. *See* Order,
2 *U.S. Bank, N.A. v. Medina-Gonzalez*, No. C 12-04991 LB, ECF No. 16. The court has generated a
3 standard order, and it is easy to copy it. Accordingly, if U.S. Bank wants the court to address the
4 issue it raises, the court **DIRECTS** it to file and serve, in accordance with Civil Local Rule 7, a
5 noticed motion to remand based on a lack of subject-matter jurisdiction.

6 Because only U.S. Bank has consented to the undersigned's jurisdiction, *see* ECF No. 10, and to
7 allow sufficient time for U.S. Bank to move for the relief it seeks, the court **CONTINUES** the June
8 27, 2013 initial case management conference to September 12, 2013 at 10:30 a.m. in Courtroom C,
9 15th Floor, United States District Court, 450 Golden Gate Avenue, San Francisco, California,
10 94102.

11 **IT IS SO ORDERED.**

12 Dated: June 24, 2013

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14 LAUREL BEELER
15 United States Magistrate Judge
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